

thorities in control of the streets and alleys of such city. And in any proceeding to condemn an easement or right of way for the purposes above mentioned the court or the jury trying the case shall define and fix the terms and conditions upon which such easement or right of way shall be used; provided, the court rendering such judgment shall be authorized upon a subsequent application or applications by either of the parties to the original proceeding or any one claiming through or under them to review and reform the terms and conditions of such grant and the provisions of such judgment and the hearing upon such application shall be in the nature of a retrial of said cause with respect to the terms and conditions upon which said easement shall be used, but the court shall not have power upon any such rehearing to declare such easement forfeited or to impair the exercise thereof. Provided, that no application for a rehearing shall be made until two years after the final judgment on the last preceding application.

An interurban electric railway company within the meaning of this act is a corporation chartered under the laws of this State for the purpose of conducting and operating an electric railway between two cities or between two incorporated towns, or between one city and one incorporated town in this State, and the rights secured under this section of this act by any interurban company shall be inoperative and void if the road to be constructed under the charter of said company is not fully constructed from a city or incorporated town to some other city or incorporated town within twelve months from the date of the final judgment awarding to said company said easements and rights of way.

Any interurban company availing itself of the privileges conferred by this section of this act is hereby prohibited from receiving for transportation at any point on that portion of track or tracks so condemned—without the consent of the company over whose track or tracks the easement is condemned—any freight or passengers destined to a point or points between the termini of the track or tracks so condemned; and a willful violation by the company of this provision of this section of this act shall operate to forfeit such easements or rights of way.

If this section of this act shall be held by the courts of this State invalid for any reason, such invalidity shall not

affect any other section or portion of this act.

Sec. 6. Such interurban electric railway companies shall also have the right and authority to produce, supply and sell electric light and power to the public and to municipalities.

Sec. 7. The provisions of this act shall be held and construed to be cumulative of all General Laws of this State on the subject of interurban electric railways when not in conflict herewith, but nothing contained in this act shall be construed or have the effect or to confer the power of eminent domain, or any of the powers herein conferred, except those conferred in Section 6, upon any interurban railroad or interurban railroad company or upon any person, firm, association, corporation or to add to the powers already possessed by any such railroad or railroad company, person, firm, association or corporation so as to enable or authorize it to condemn any land or ground occupied by any portion of its line or track already constructed at the time this act shall take effect, or to condemn any land or ground for the purpose of changing the location of any track or line constructed at the time this act shall take effect. Provided, that nothing contained in this section shall be construed to take from any interurban railroad, interurban railroad company, person, firm, association or corporation, any power of eminent domain already possessed by it.

Section 8. The great necessity for this law, there being none existing upon the subject sufficient to permit interurban electric railroad corporations to exercise the rights and powers herein conferred, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule that bills be read on three several days in each house, and the same is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

TWENTY-FIRST DAY.

Senate Chamber,
Austin, Texas,

Tuesday, February 5, 1907.

Senate met pursuant to adjournment.
Lieutenant Governor A. B. Davidson in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Cunningham.
Barrett.	Faust.
Brachfield.	Glasscock.
Chambers.	Green.

Greer.	Paulus.
Grinnan.	Senter.
Harbison.	Skinner.
Holsey.	Smith.
Kellie.	Stokes.
Looney.	Stone.
Masterson.	Terrell.
Mayfield.	Veale.
Meachum.	Watson.
Murray.	Willacy.

Absent.

Griggs.	Hudspeth.
Harper.	

Senators Brachfield, Green, Greer, Skinner, Stone, Senter and Looney answered to roll call, but are granted leave of absence on account of investigating committee.

Prayer by Rev. H. M. Sears, Chaplain of the Senate.

Pending the reading of the Journal of yesterday, on motion of Senator Stone the same was dispensed with.

(See Appendix for committee reports, petitions and memorials.)

EXCUSED.

Senator Faust was excused for non-attendance upon the Senate for yesterday, on motion of Senator Barrett.

Senator Griggs was excused for non-attendance upon the Senate for yesterday and today on account of important business, on motion of Senator Masterson.

BILLS AND RESOLUTIONS.

By Senator Glasscock:

Senate bill No. 140, A bill to be entitled "An Act to establish and attach to the Deaf and Dumb Institute at Austin, Texas, a branch thereof for the custodial care, maintenance and education of defective persons, which shall include the feeble minded, idiotic, epileptic and paralytic persons in this State, defining who are feeble minded persons, with an emergency clause."

Read first time, and referred to Committee on State Affairs.

By Senator Paulus:

Senate bill No. 141, A bill to be entitled "An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education of such practitioners, and to insure better sanitary conditions in barber shops, and to prevent the spread of disease in the State of Texas, and declaring an emergency."

Read first time, and referred to Committee on Public Health.

By Senator Cunningham:

Senate bill No. 142, A bill to be entitled "An Act to amend Section 1 of Chapter 9 of the General Laws of the State of Texas, passed at the Special Session of the Twenty-fifth Legislature of the State of Texas, entitled 'An Act to fix the venue and regulate the proceedings in prosecutions for rape,' and to provide that the county in which such crime is charged to have been committed shall bear the expense of such prosecutions."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Kellie:

Senate bill No. 143, A bill to be entitled "An Act to amend Article 3294, Chapter 2, Title LXVI, of the Revised Statutes of the State of Texas, relating to liens of mechanics, contractors, builders and materialmen, by adding thereto a lien in favor of mechanics, contractors and materialmen on oil wells, cisterns, tanks, reservoirs or artificial pools or lakes made for supplying or storing oil."

Read first time, and referred to Judiciary Committee No. 1.

By Senators Skinner, Green, Stone, Greer, Looney, Senter, Brachfield:

Senate bill No. 144, A bill to be entitled "An Act providing for the method and procedure of serving process and the taking of testimony of witnesses, whether residing or being within or without the State of Texas, and the taking and procuring of documentary evidence, whether within or without said State, to be used before any investigating committee, before which an investigation is now pending, or before any investigating committee before which an investigation may hereafter be pending where such investigation has heretofore been or may hereafter be ordered by the Legislature of this State, or either branch of such Legislature for the imposition of fines upon or imprisonment of any witness for contempt and authorizing such investigating committee to appoint two of their members as a special commission to take testimony, either within or without this State, with an emergency clause."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Willacy:

Senate bill No. 145, A bill to be entitled "An Act fixing the per diem pay and mileage of members of the Legislature, and validating certificates therefor heretofore issued to members of the Thirtieth Legislature and warrants issued by the Comptroller of Public Accounts

for such per diem and mileage, pursuant to such certificates."

Read first time, and referred to Finance Committee.

By Senator Stone:

Senate bill No. 146, A bill to be entitled "An Act to divide the State of Texas into six supreme judicial districts, to provide for and establish a Court of Civil Appeals in each of said districts; to prescribe the time for the holding of said courts, and to repeal all laws or part of laws in conflict with the provisions of this act."

Read first time, and referred to Committee on Judicial Districts.

By Senators Glasscock and Paulus:

Senate bill No. 147, A bill to be entitled "An Act to amend Section 17 of Chapter 5 of the Acts of the First Called Session of the Twenty-fifth Legislature, relating to reports of certain officers."

Read first time, and referred to Committee on State Affairs.

By Senator Harbison:

Senate bill No. 148, A bill to be entitled "An Act to prevent by means of the writ of injunction at the suits of the State or any citizen thereof the habitual use, actual, contemplated or threatened, of any premises, place, building or part thereof for the purpose of prostitution or carrying on the business of a common prostitute."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Faust:

Senate bill No. 149, A bill to be entitled "An Act relating to negotiable instruments; the form and interpretation thereof; the consideration which will sustain negotiable instruments; the negotiation thereof; the rights of the holders thereof; the liabilities of the parties; the presentment for payment; notice of dishonor thereof; the discharge of negotiable instruments, and defining the terms of acceptance, action, bank bearer, bill, delivery, holder, endorsement, instrument issue, person, value and written, and repealing all laws in conflict with this act, and providing for an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Faust:

Senate bill No. 150, A bill to be entitled "An Act relating to bills of exchange; form and interpretation thereof; the acceptance of same; presentment for ac-

ceptance thereof; the protest of same; acceptance for dishonor; payment for dishonor; bills in a set; and defining the terms acceptance, action, bank, bearer, bill, delivery, holder indorsements, instrument, issue, note person, value, written and writing, and providing for an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Smith:

Senate bill No. 151, A bill to be entitled "An Act to amend Section 6 of Chapter 102 of the Acts of the Regular Session of the Twenty-sixth Legislature, entitled 'An Act to promote agriculture and stockraising, and to prohibit the hunting with firearms or dogs upon the enclosed or posted lands of another, in all counties within this State, not specially named as exempt from the provisions of this act,' as amended by the Twenty-eighth Legislature, and as amended by Chapter 71a, General Laws of the Twenty-ninth Legislature, to provide penalties, and with an emergency clause."

Read first time, and referred to Judiciary Committee No. 2.

By Senators Faust and Mayfield:

Senate bill No. 152, A bill to be entitled "An Act defining 'burglary with explosives,' prescribing penalty for the commission thereof, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Brachfield:

Senate bill No. 153, A bill to be entitled "An Act to repeal Chapter 19 of the Acts of the Twenty-ninth Legislature, and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

By Senator Harbison:

Senate bill No. 154, A bill to be entitled "An Act to amend Article 745 of the Revised Civil Statutes of the State of Texas, requiring foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon said corporations transacting business in this State, and authorizing the Secretary of State to issue permits to such corporations, as amended by Chapter 119, Acts of the Twenty-fifth Legislature."

Read first time, and referred to Committee on Internal Improvements.

By Senator Harbison:

Senate bill No. 155. A bill to be entitled

"An Act to amend Article 643 of the Revised Statutes of the State of Texas, prescribing what must be set forth in the charter of a domestic corporation."

Read first time, and referred to Committee on Internal Improvements.

A SIMPLE RESOLUTION.

Whereas, It has been the custom for a number of years to have made and framed an enlarged picture of the outgoing Governor of Texas; therefore, be it

Resolved, That the Committee on Contingent Expenses be empowered and instructed to have made and placed in the rotunda of the Capitol building a picture of ex-Governor S. W. T. Lanham, and that \$200, or so much as may be necessary thereof, be paid out of the contingent expense fund for that purpose.

HOLSEY,
WILLACY,
GLASSCOCK,
GREEN,
ALEXANDER.

Read and referred to Committee on Contingent Expenses.

Morning call concluded.

HOUSE BILL NO. 26.

On motion of Senator Veale, the special order of business (Senate bill No. 13) was suspended, and the Senate took up, out of its order, House bill No. 26.

The Chair laid before the Senate, on second reading,

House bill No. 26, A bill to be entitled "An Act creating a more efficient road system for Wood county, Texas."

The committee report was adopted.

Bill read second time and passed to third reading.

On motion of Senator Veale, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Alexander.	Mayfield.
Barrett.	Meachum.
Chambers.	Murray.
Cunningham.	Paulus.
Faust.	Smith.
Glasscock.	Stokes.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Kellie.	Willacy.
Masterson.	

Absent.

Brachfield.	Hudspeth.
Green.	Looney.
Greer.	Senter.
Griggs.	Skinner.
Harper.	Stone.

The bill was read third time, and passed by the following vote:

Yeas—21.

Alexander.	Mayfield.
Barrett.	Meachum.
Chambers.	Murray.
Cunningham.	Paulus.
Faust.	Smith.
Glasscock.	Stokes.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Kellie.	Willacy.
Masterson.	

Absent.

Brachfield.	Hudspeth.
Green.	Looney.
Greer.	Senter.
Griggs.	Skinner.
Harper.	Stone.

Senator Veale moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 13—SPECIAL ORDER.

The Chair laid before the Senate, on second reading, special order

Senate bill No. 13, A bill to be entitled "An Act regulating the granting of divorce by annulling marriage, dissolving the bonds of matrimony, the practice in relation to the trial of divorce suits; prescribing penalties for the violation thereof, and with an emergency clause."

Senator Senter offered the following amendment:

Amend by striking out Sections 2, 3, 6, 7 and 8 of the bill, renumbering the other sections accordingly, and adding a section to be numbered 3, as follows:

"Section 3. Whenever a divorce shall be granted, the judgment shall provide that the party against whom it is rendered shall not remarry within the period of one year from the time the judgment shall become final, and any person who shall, within said period, marry within this State, or who shall marry without the State, and at any time thereafter shall come within the State, shall be deemed guilty of bigamy,

and shall be punished with imprisonment in the State penitentiary for a period of not less than one year and not more than three years, and in the event such person shall marry without the State the statute of limitation shall not begin to run against prosecution therefor until such person shall thereafter take up a permanent residence within this State."

EXECUTIVE SESSION.

The Chair here announced that the hour, 11 o'clock, had arrived, which was the time designated on yesterday for the Senate to sit in executive session to consider appointments sent to the Senate by the Governor on yesterday. The chamber was cleared of all visitors.

In executive session the following confirmation was had:

J. K. P. Gillaspie of Harris county to be judge of the Criminal District Court for the district composed of Galveston and Harris counties.

IN THE SENATE.

PENDING BUSINESS—SENATE BILL NO. 13.

Pending business, Senate bill No. 13, was resumed, the question being on the amendment by Senator Senter.

Pending discussion on the amendment, Senator Meachum raised the point of order that Senate bill No. 61 had been made a special order for 11:15 o'clock today, and that that hour had arrived, and made the point that Senate bill No. 61 then had the precedence over Senate bill No. 13 for this hour.

The Chair (Lieutenant Governor Davidson), after hearing arguments, pro and con, on the point of order, stated that he would sustain same. Referring to the rules of Congress governing "special orders," he stated that, in his opinion, the last action of the Senate on making special orders should have precedence over other special orders; that as Senate bill No. 13 had been a special order for several days, and that Senate bill No. 61 was, on yesterday, made a special order for today at 11:15 o'clock, he held that consideration of same was then in order, holding that the rule of construction, that where a legislative body acted twice upon the same subject, or practically the same subject, that its last action was presumed to be superior to, and to set aside, its first action, and that under the rules of Congress the Chair found the following to be binding there:

"If a bill which is made a special order for one day only is not taken up, or being taken up, is left undisposed of on the day fixed, it loses its privilege thereafter."—Manual and Digest, Rules and Practice of Congress, page 698.

SENATE BILL NO. 61.

Senate bill No. 61, being the special order for this hour, the Chair recognized Senator Meachum to call up the bill, and

Senator Meachum moved that the Senate rescind its former vote by which the bill was ordered engrossed.

The motion was adopted, and

The Chair laid before the Senate, on second reading,

Senate bill No. 61, A bill to be entitled "An Act to amend Sections 93 and 94 of Chapter 124 of the Acts of the regular session of the Twenty-ninth Legislature, relating to school trustees and their duties."

Senator Meachum then offered the amendment, which he offered on yesterday, and which was pending. (See pages 208-210 of the Journal of yesterday for the amendment.)

The amendment was adopted.

Senator Meachum offered the following amendment:

Amend the caption, in line 9, after the word "trustees," by striking out the word "and," and insert in lieu of the word "and" a comma after the word "trustees."

The amendment was read and adopted.

Senator Meachum then offered the following amendment:

Amend caption of Senate bill No. 61, in line 9, page 1, after the words "their duties," by adding the following, "and qualifications; and providing means for their removal, and venue of suits for such removal, authorizing the Attorney General of Texas, in the name of the State of Texas, to bring suit for such removal; and providing for the appointment of trustees in case of vacancy; and providing for the division of the school funds between the different school districts in each county, and providing the manner for fixing the time and duration of schools in each school district in this State."

The amendment was adopted.

Senator Alexander offered the following amendment:

Amend Senate bill No. 61 as amended by adding after the word "district," and before the words "in case of," as printed in the Journal, second column, page 209, the following, "provided, however, that such trustee so appointed may be re-

moved for the causes and in the manner provided by this section."

The amendment was adopted.

Senator Smith offered the following amendment:

Amend the provision by striking out therefrom the following, "The provisions of the Constitution of the State of Texas and."

The amendment was adopted.

The bill was read second time, and ordered engrossed.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, February 5, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 226. A bill to be entitled "An Act to amend Article 642 of the Revised Civil Statutes of the State of Texas, relating to the purposes for which private corporations may be formed, by adding to said article another subdivision known as Subdivision 65, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

BILL READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had read and referred, after its caption had been read, the following House bill:

House bill No. 226, referred to Judiciary Committee No. 1.

SENATE BILL NO. 144.

On motion of Senator Skinner, the special order of business (Senate bill No. 13) was suspended, and the Senate took up, out of its order, Senate bill No. 144.

On motion of Senator Skinner, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill, the committee having reported the bill today. (See Appendix for report.)

The committee report, which provided that the bill be not printed, was adopted.

On motion of Senator Skinner, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its second reading by the following vote:

Yeas—27.

Alexander.
Barrett.
Brachfield.

Chambers.
Cunningham.
Faust.

Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Grinnan.	Smith.
Holsey.	Stokes.
Kellie.	Stone.
Looney.	Terrell.
Masterson.	Veale.
Mayfield.	Watson.
Meachum.	Willacy.
Murray.	

Absent.

Harbison.	Hudspeth.
Harper.	

Absent—Excused.

Griggs.

The Chair then laid before the Senate, on second reading,

Senate bill No. 144. (See caption in committee report.)

Senator Terrell offered the following amendment:

Amend the bill by adding Section 9, as follows:

"Sec. 9. Provided, that whenever any member of a committee as above provided shall go beyond the limits of the State, they shall never have power to carry with them at the expense of the State any attorney, witness or party interested in such investigation, nor to employ any counsel out of the State at the expense of the State."

Senator Smith offered the following substitute for the amendment:

Amend the act by adding thereto the following: "The committee provided for by this act shall have the authority to employ and have and accompanying them not more than one attorney, who is not a member of such committee, and who is a citizen of the State of Texas, at the expense of the State, but shall not have the authority to employ attorneys who are not citizens of this State at the expense thereof."

Pending discussion on the amendments and bill,

Senator Meachum moved that the Senate take a recess until 3 o'clock, and

Senator Terrell moved that the Senate adjourn until tomorrow morning at 10 o'clock.

The motions were yielded for the filing of some bills, and

Senators Skinner and Meachum obtained the floor on a point of personal privilege, and the point of order was raised that the motions to adjourn were pending.

The Chair sustained the point of order. The motion on the longest time was voted first, and the motion to adjourn

until tomorrow morning at 10 o'clock was lost by the following vote:

Yeas—2.

Harbison. Terrell.

Nays—25.

Alexander.	Mayfield.
Barrett.	Meachum.
Brachfield.	Murray.
Chambers.	Paulus.
Cunningham.	Senter.
Faust.	Skinner.
Glasscock.	Smith.
Green.	Stokes.
Greer.	Stone.
Grinnan.	Veale.
Holsey.	Watson.
Kellie.	Willacy.
Masterson.	

Absent.

Griggs. Hudspeth.
Harper. Looney.

Question then being on the motion to recess until 3 o'clock today, the same was lost by the following vote:

Yeas—5.

Barrett. Stone.
Harbison. Watson.
Meachum.

Nays—22.

Alexander.	Masterson.
Brachfield.	Mayfield.
Chambers.	Murray.
Cunningham.	Paulus.
Faust.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stokes.
Grinnan.	Terrell.
Holsey.	Veale.
Kellie.	Willacy.

Absent.

Harper. Looney.
Hudspeth.

Absent—Excused.

Griggs.

PENDING BUSINESS RESUMED.

The pending business, Senate bill No. 144, was resumed, the question being on the pending amendments.

Senator Murray moved the previous question on the pending amendments and the bill, the motion being duly seconded, was so ordered.

The substitute amendment was adopted, and

The amendment as substituted was adopted.

The bill was read second time and ordered engrossed by the following vote, the yeas and nays being called for:

Yeas—24.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Murray.
Chambers.	Paulus.
Cunningham.	Senter.
Faust.	Skinner.
Glasscock.	Smith.
Green.	Stokes.
Greer.	Stone.
Grinnan.	Veale.
Holsey.	Watson.
Kellie.	Willacy.

Nays—3.

Harbison. Terrell.
Meachum.

Absent.

Harper. Looney.
Hudspeth.

Absent—Excused.

Griggs.

On motion of Senator Skinner, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Murray.
Chambers.	Paulus.
Cunningham.	Senter.
Faust.	Skinner.
Glasscock.	Smith.
Green.	Stokes.
Greer.	Stone.
Grinnan.	Veale.
Holsey.	Watson.
Kellie.	Willacy.

Nays—3.

Harbison. Terrell.
Meachum.

Absent.

Harper. Looney.
Hudspeth.

Absent—Excused.

Griggs.

The bill was read third time, and passed by the following vote:

Yeas—24.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Murray.
Chambers.	Paulus.
Cunningham.	Senter.
Faust.	Skinner.
Glasscock.	Smith.
Green.	Stokes.
Greer.	Stone.
Grinnan.	Veale.
Holsey.	Watson.
Kellie.	Willacy.

Nays—3.

Harbison.	Terrell.
Meachum.	

Absent.

Harper.	Looney.
Hudspeth.	

Absent—Excused.

Griggs.

Senator Skinner moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 151.

On motion of Senator Stokes, the special order of business (Senate bill No. 13) was suspended, and the Senate took up, out of its order, House bill No. 151.

On motion of Senator Stokes, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill, the committee having reported the bill today. (See Appendix for committee report.)

The committee report was adopted.

The Chair laid before the Senate, on second reading House bill No. 151. (See committee report for caption.)

Bill read second time, and passed to third reading.

On motion of Senator Stokes, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Alexander.	Grinnan.
Barrett.	Harbison.
Brachfield.	Holsey.
Chambers.	Kellie.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Murray.
Greer.	Paulus.

Stokes.	Watson.
Terrell.	Willacy.
Veale.	

Present—Not Voting.

Meachum.

Absent.

Green.	Senter.
Harper.	Skinner.
Hudspeth.	Smith.
Looney.	Stone.

Absent—Excused.

Griggs.

The bill was read third time, but the roll call developed no quorum voting, the following Senators answering to their names:

Yeas—20.

Alexander.	Holsey.
Barrett.	Kellie.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Paulus.
Faust.	Stokes.
Glasscock.	Terrell.
Greer.	Veale.
Grinnan.	Watson.
Harbison.	Willacy.

Present—Not Voting.

Meachum.

Absent.

Green.	Senter.
Harper.	Skinner.
Hudspeth.	Smith.
Looney.	Stone.
Murray.	

Absent—Excused.

Griggs.

ADJOURNMENT.

On motion of Senator Stokes, the Senate, at 1:50 o'clock, adjourned until tomorrow morning at 10 o'clock.

APPENDIX.

COMMITTEE REPORTS.

(Floor Report.)

Committee Room,
Austin, Texas, February 5, 1907.
Hon. A. B. Davidson, President of the Senate.
Sir: Your Committee on Educational Affairs, to whom was referred House bill No. 151, A bill to be entitled

"An Act to amend Section two (2) of an act approved May 11, 1905, creating the Jacksonville Independent School District, in Cherokee county, Texas; defining its boundaries, etc., which is Chapter three (3) of the General Laws passed at the First Called Session of the Twenty-ninth Legislature, so as to more particularly and accurately define and describe its boundaries, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be not printed.

Barrett, Chairman; Glasscock, Paulus, Kellie, Senter, Meachum, Green.

(Floor Report.)

Committee Room,
Austin, Texas, February 5, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 139, A bill to be entitled "An Act to authorize, enable and permit the territory situated within the bounds of the town of Tulia, in the county of Swisher and State of Texas, and other land and territory adjacent thereto; to incorporate as an independent school district for free school purposes only, to be known as the Tulia Independent School District, with all the powers, rights and duties of independent school districts formed by incorporations of towns and villages for free school purposes only,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Grinnan, Green, Glasscock, Meachum, Kellie, Paulus.

(Floor Report.)

Committee Room,
Austin, Texas, February 5, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Stock and Stockraising, to whom was referred

Senate bill No. 137, A bill to be entitled "An Act to amend Article 5043, Chapter 6, Title CII, Revised Statutes of the State of Texas, so as to place Swisher county under the operation of the stock inspection law as found in Articles 5002 to 5043, inclusive, as

amended by the Twenty-sixth Legislature, Chapter 119, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be not printed.

Veale, Chairman; Grinnan, Green, Willacy, Murray, Alexander.

(Floor Report.)

Committee Room,
Austin, Texas, February 5, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 144, A bill to be entitled "An Act providing for the method and procedure of serving process and the taking of testimony of witnesses whether residing or being within or without the State of Texas, and the taking and procuring of documentary evidence whether within or without said State, to be used before any investigating committee, before which an investigation is now pending, or before any investigating committee before which an investigation may hereafter be pending where such investigation has heretofore been or may hereafter be ordered by the Legislature of this State, or either branch of such Legislature for the imposition of fines upon or imprisonment of any witness for contempt, and authorizing such investigating committee to appoint two of their members as a special commission to take testimony, either within or without this State, with an emergency clause,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Stone, Chairman; Masterson, Brachfield, Meachum, Skinner, Green, Chambers, Grinnan, Veale, Paulus.

Committee Room,
Austin, Texas, February 4, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 49, A bill to be entitled "An Act to amend Sections 1 and 2 of Chapter 71, Acts of the Twenty-eighth Legislature, and to amend Sections 1

and 2, Chapter 23, Acts of the Twentieth Legislature,"

And find the same correctly engrossed.
CUNNINGHAM, Chairman.

TWENTY-SECOND DAY.

Senate Chamber,
Austin, Texas,

Wednesday, February 6, 1907.

Senate met pursuant to adjournment.

Lieutenant Governor A. B. Davidson
in the chair.

Roll call, quorum present, the following answered to their names:

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Cunningham.	Paulus.
Faust.	Senter.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Kellie.	Willacy.
Looney.	

Absent.

Harper. Hudspeth.

Prayer by Rev. H. M. Sears, Chaplain
of the Senate.

Pending the reading of the Journal of
yesterday, on motion of Senator Harbison
the same was dispensed with.

(See Appendix for committee reports,
petitions and memorials.)

BILLS AND RESOLUTIONS.

By Senator Harbison:

Senate bill No. 156, A bill to be entitled "An Act to amend Section 3 of an Act of the Twenty-ninth Legislature of Texas, approved May 1, 1905, entitled 'An Act relating to State and county finances and the finances of cities incorporated under the general laws of this State, providing for a system of State, county and city depositories for said State, county and city funds, for the selection and designation of such depositories; to provide penalties for the violation of the provisions of this act, and to repeal all laws and parts of laws in conflict herewith.'"

Read first time, and referred to Committee on State Affairs.

By Senator Skinner:

Senate bill No. 157, A bill to be entitled "An Act to amend Section 12 and Section 21 of Chapter 128 of the Acts of the Twenty-sixth Legislature, entitled 'An Act providing the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in certain counties, or in any subdivision of the said counties, so that when an election under said law shall be in favor of the stock law, that the certificate thereto shall be prima facie evidence of a compliance with the law to put same in force'; also to provide for the punishment of any one violating the provisions of said act, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Greer:

Senate bill No. 158, A bill to be entitled "An Act to amend Articles 596 and 598, Title VII, Chapter 4, Code of Criminal Procedure of the State of Texas, relating to continuances and regulating continuances in criminal cases."

Read first time, and referred to Judiciary Committee No. 2.

By Senators Willacy and Glasscock:

Senate bill No. 159, A bill to be entitled "An Act to create a Department of Agriculture, and defining its duties and authority and providing an appropriation therefor, and declaring an emergency."

Read first time, and referred to Committee on Agricultural Affairs.

By Senators Watson, Alexander,
Smith and Meachum:

Senate bill No. 160, A bill to be entitled "An Act to prohibit bucket shops or bucket shopping within this State, and to provide penalties for its violation; to prohibit gambling in contract for future delivery; to render unlawful any contract for future deliverance where delivery is not intended, or where such contract is not made as the hedge to protect against fluctuations in value of products or security; to require commission brokers or merchants to accept no future contract except where intended for actual delivery or a hedge on actual products or securities; to prohibit the purchase or sale of such contracts by individuals, and to provide penalties against both buyer and seller and broker who violate the provisions of this act."